

Response to Office Action Mailed: April 23, 2007
PATENT: 10/773,866

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RESPONSE

Remarks

Claims 7-8, 10, 21-23, 25-28 and 31-39 remain in the application. Claims 7, 18, 19, 21, 22, 25, 33 and 35 are in Independent format.

ALLOWED SUBJECT MATTER

The Applicant sincerely thanks the Examiner for the allowed subject matter in Claims 19, 21-23 and the allowable subject matter in claims 15, 18, 30, 33 and 35

ALLOWABLE SUBJECT MATTER

The Examiner indicated that Claims 15, 18, 30, 33 and 35, were objected to as being dependent upon a rejected base claim and are allowable if rewritten in independent form including all limitations of the base claim and any intervening claims.

Applicant amends the allowable claims as follows.

Claim 15 was dependent on Independent Claims 7, 13 and 14. Claim 7 has been amended to include all the limitations of Claims 7, 13, 14 and 15 and is now allowable. Claim 15 has been canceled.

Claim 18 depends on Claims 7 and 17. Claim 18 has been re-written in independent format including the limitations of Claims 7 and 17 and is now allowable.

Claim 30 was dependent on Claims 25 and 29. Claim 25 has been re-written in independent format including the limitations of Claims 25, 29 and 30 and is now allowable. Claim 30 has been canceled.

17 of 21

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Claim 33 depends on Claims 25 and 32. Claim 33 has been re-written in independent format including the limitations of Claims 25 and 32 and is now allowable.

Claim 35 depends on Claim 25. Claim 35 has been re-written in independent format including the limitations of Claims 25 and 35 and is now allowable.

Information Disclosure Statement

The Examiner has not indicated by any of the papers he has sent to the Applicant that he has considered the Supplemental Information Disclosure Statement filed on a paper PTO-1449 filed on December 27, 2005. The Applicant request the Examiner specifically consider the non-patent references cited on this Supplemental Information Disclosure Statement.

Section 102(e) Rejection

The Examiner rejects claims 7-8, 10-14, 16, 25-29, 32, 34 and 36-37 under 35 U.S.C. 102(e) as being anticipated by Rockwell (U.S. Published Patent Application Number 2003/0027550A1).

Section 102(e) Response

The Applicant traverses all the Examiner's assertions and accepts all the Examiner's admissions, if any. The Applicant may respond to specific rejections raised by the Examiner. However, the Applicant intends to traverse all the Examiner's assertions and accepts all the Examiner's admissions, if any.

The Applicant has amended the independent claims 7 and 25 based on the Examiner's indication of Allowable subject matter.

18 of 21

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These amendments have added additional limitations that Examiner indicated were allowable subject matter when combined with all of the limitations of the base claims and any intervening claims.

The Examiner is also reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987).

Based on the amended claims and the allowable subject matter, none of these independent claims or corresponding dependent claims are anticipated by Rockwell under the holding of *Verdegall Bros.* Therefore, the 102(e) rejection must be withdrawn and all of these claims passed to allowance.

Section 103(a) Rejection

The Examiner rejects claims 7-8, 10-14, 16, 25-29, 32, 34 and 36-37 under 35 U.S.C. 103(a) as being obvious over Rockwell (U.S. Published Patent Application Number 2003/0027550A1) in view of Aljadeff et al. (U.S. Published Patent Application Number 2003/0233598A1).

Section 103(a) Response

The Applicant traverses all the Examiner's assertions and accepts all the Examiner's admissions, if any. The Applicant may respond to specific rejections raised by the Examiner. However, the Applicant intends to traverse all the Examiner's assertions and accepts all the Examiner's admissions, if any.

The Applicant has amended the independent claims 7 and 25 based on the Examiner's indication of Allowable subject matter.

19 of 21

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These amendments have added additional limitations that Examiner indicated were allowable subject matter.

The Examiner is reminded that if an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending there from is non-obvious *In re Fine* 837 F.2d 1071 (Fed. Cir. 1988).

Thus, dependent Claims 17 and 31 are not obvious under the holding of *In re Fine*. Therefore the Applicant requests the Section 103(a) rejection for these claims be withdrawn and these claims passed to allowance.

20 of 21

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CONCLUSION

The prior art made of record in the Office Action but not relied upon by the Examiner is no more pertinent to Applicant's invention than the cited references for the reasons given above. The Applicant therefore submits that all of the claims in their present form are immediately allowable and requests the Examiner withdraw all of the rejections of all the claims and pass all of the pending claims to allowance.

Respectfully submitted.

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Dated: June 28, 2007

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